

RANDY SUE POLLOCK
Attorney at Law (CSBN 64473)
2831 Telegraph Avenue
Oakland, CA 94609
San Francisco, CA 94109
Telephone: (510) 763-9967
Facsimile: (510) 272-0711

Attorney for Defendant
FAUSTINO AGUAYO

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ooo

UNITED STATES OF AMERICA,
Plaintiff,

CR. 05-118-MMC

vs.

**STIPULATION TO CONTINUE
STATUS CONFERENCE**

FAUSTINO AGUAYO, et al.,
Defendants.

Defendant FAUSTINO AGUAYO, by and through his counsel of record
Randy Sue Pollock, and Assistant U.S. Attorney David Hall hereby stipulate and agree
that the status conference presently set for Wednesday, April 5, 2006, be continued until
May 3, 2006, at 2:30 p.m.

Ms. Pollock is still reviewing the discovery that was turned over in a related
prosecution that is pending before the Honorable Marilyn H. Patel, regarding a
confidential informant in this case.

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1 Ms. Pollock has advised all counsel in this case of the requested continuance and
2 none have objected. Both Mr. Bell and Ms. Leary could not be present on this date due to
3 medical issues.

4 The time period from April 5, 2006, to May 3, 2006 would be deemed excludable
5 pursuant to 18 U.S.C. Section 3161(h)(8)(A), given that the ends of justice served by
6 granting a continuance outweigh the best interests of the public and of the defendant in a
7 speedy trial. Additionally, pursuant to 18 U.S.C. Section 3161(h)(8)(B)(ii) given the
8 nature of the prosecution, the volume of the evidence, the fact that wiretaps were
9 involved as well as pending motions in a related case, it is unreasonable to expect
10 adequate preparation for pretrial proceedings and for the trial within the time limits
11 established by the Speedy Trial Act.

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14 Date: April 4, 2006

(S) Randy Sue Pollock

RANDY SUE POLLOCK
Counsel for Defendant
FAUSTINO AGUAYO
On Behalf Of All Defendants

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21 SO ORDERED: April 4, 2006



MAXINE M. CHESNEY
United States District Court Judge